

NOTICE OF FILING

Details of Filing

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File Title:	BRUCE LEHRMANN v NETWORK TEN PTY LIMITED ACN 052 515 250 & ANOR
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 59
Rule 29.02(1)

Affidavit

No. NSD. 103/2023

Federal Court of Australia
District Registry: New South Wales
Division: General

Bruce Lehmann
Applicant

Network Ten Pty Limited (ACN 052 515 250) and Anor
Respondents

Affidavit of: **Karly Simone Abbott**

Address: [Redacted]

Occupation: Consultant

Date: 27 July 2023

I Karly Simone Abbott, Consultant of [Redacted] say on oath:

1. I am a Partner of The Inner Circle Strategic Advisory, which specialises in government relations and strategic communications.
2. In 2010 I graduated from Griffith University with a Bachelor of Laws and Bachelor of Arts majoring in Politics, Government and Economy.
3. I completed a Graduate Diploma in Legal Skills and Ethics in 2009, and in 2010 worked as a solicitor for a Queensland law firm, and thereafter as a Governance and Compliance Officer at Surf Lifesaving Queensland.
4. I commenced work as a Political Advisor to the Hon. Steven Ciobo MP in March 2011, and became an Adviser and then Senior Adviser when he was promoted to Minister for Trade

Filed on behalf of (name & role of party)	<u>Dailymail.com Australia Pty Limited ACN 166 912 465</u>
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[Form approved 01/08/2011]

Tourism and Investment in March 2016. I continued to be his Senior Adviser when he was appointed Minister for Defence Industry until his retirement in April 2019.

5. In June 2019, I became a Senior Advisor to the Hon. Michaela Cash, the then Minister for Employment, Skills, Small and Family Business, which position I held until February 2020, after which I established Inner Circle Strategic Advisory together with Kathy Quinn.
6. I first met Bruce Lehmann (the Applicant) at Parliament House, Canberra (**Parliament House**) in or about 2016 when he was working for the Hon. George Brandis, the then Attorney General. Since that time, we have got to know each other reasonably well both professionally and socially, and I now consider him a friend.
7. I also met Brittany Higgins when she worked for Minister Ciobo during the period from about October 2018 to about April 2019, and thereafter whilst I was working with Minister Cash.

Broadcast sued upon

8. On the evening of 15 February 2021, whilst at my home on the Gold Coast, I watched by television broadcast *'The Project'* television program, which contained an interview with Ms Higgins conducted by Lisa Wilkinson (**the program**). I am aware that the Applicant has instituted these proceedings for defamation in relation to the program.
9. Whilst watching the program, I noted that Ms Higgins had alleged that she was sexually assaulted in Canberra by a former colleague, and I identified that former colleague as being the Applicant. The basis for my identification of the Applicant as being the former colleague was because of the following:
 - a. the program stated that the former colleague was a male adviser to Minister (Senator) Reynolds, and I knew that the Applicant was formerly an adviser to the Senator in Canberra. Although the program stated that the former colleague was a senior adviser, whilst I did not consider the Applicant to be a senior adviser, I knew that the Applicant was senior in position to Ms Higgins when she was working in Minister Reynolds' office in about February/March 2019;
 - b. the program stated that the former colleague had been advising Senator Reynolds in her former Home Affairs portfolio, and I knew that the Applicant was previously an adviser to the Senator when the Senator held that position;
 - c. in about July 2019, I had a conversation with Drew Burland, who at the time was an adviser to Senator Reynolds at Parliament House, who said to me words to the following effect:

"There was an incident involving Brittany and Bruce in the office, and Bruce was fired"

 K S Abbott

- d. the program stated that the former colleague stopped working in Parliament House in March 2019, and that he was working in Sydney with a good job, and I knew that the Applicant had stopped working for Senator Reynolds, and by reason of my conversation with Mr Burland that he was fired, in or about March 2019, and that he was subsequently working in Sydney for a public relations and communications firm.

10.

11.

- 12. I also recall having a telephone conversation with Ben Dillaway, who was a former colleague of mine and also a former boyfriend of Ms Higgins, shortly after the broadcast of the program, in words to the following effect:

Mr Dillaway: *"Did you watch The Project?"*;

Myself: *"Yes I did"*;

Mr Dillaway: *"This is Bruce"*;

Myself: *"Oh wow"* [I said that because I knew that Mr Dillaway was likely to be close to Ms Higgins and I didn't want to involve myself in the situation].

- 13. After the broadcast of the program, because of the seriousness of the allegations, I purposely ceased direct communications with Bruce because of the potential negative effects any relationship with him could have. However, I decided to re-establish communications with Bruce earlier this year, and our friendship continues.

14.

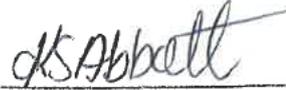
Applicant's reputation



15. Prior to broadcast of the program on 15 February 2021, amongst the persons that I associated with, including politicians and political staffers, the Applicant had a reputation as being intelligent, hardworking, loyal and being a person who was held in very high regard.

Sworn by the deponent at Carrara
on 27 July 2023
Before me:

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Signed by deponent



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Signed by witness
Paul Svilans
Lawyer for the Applicant

This affidavit was signed in counterpart and witnessed over audio visual link in accordance with s14G of the Electronic Transactions Act 2000 (NSW)